

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.38530 of 2008

DILIP MALAKAR --- PETITIONER.

Versus

THE STATE OF BIHAR --- O.P.

For the Petitioner : - Sri Arvind Kumar, Advocate.

For the O.P. : - Sri D. Mehta, APP

2. 15.10.2008 Heard Sri Arvind Kumar, Advocate for the petitioner and Sri D. Mehta, Additional Public Prosecutor for the State.

The case is on complaint under Section 498A of the IPC and the petitioner is the husband. The allegation is that the petitioner was demanding Rs.20,000/- for establishing a business and not getting the same turned out the lady after ill-treating her.

The contention is that the family of the petitioner as also that of the complainant were those of daily wage earners and the very allegation appears unfounded. The contention further is that, in fact, the lady is aggrieved on account of not being given company by the petitioner as he is generally out side of his house, so as to doing labour for others and as such she filed the case.

Regard being had to the facts and circumstances of the case, let petitioner Dilip Malakar be released from custody on furnishing a bond of Rs.10,000/- (ten thousand)

with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad in connection with Complaint Case No. 743 of 2007.

DKS/

(Dharnidhar Jha, J)

